

any agreement to deny the casino application in exchange for campaign contributions. Paul Eckstein, of course, testified that Babbitt told him on the day the Hudson decision was issued that Ickes told or directed him to issue the decision that day. Eckstein also testified that, in the same conversation, Babbitt mentioned the amount of money that Indian tribes were giving to the DNC or the Democrats. Babbitt provided to Sen. McCain and Sen. Thompson inconsistent statements about his meeting with Eckstein, and provided confusing testimony to Senate and House committees in an effort to reconcile those inconsistent statements. The Secretary's statements and testimony in this regard are troubling, and they are examined in detail in connection with the perjury analysis below. The Secretary's statements, however, do not establish that the Hudson decision was corrupted by campaign contributions in light of all the evidence. Even Eckstein did not think that Babbitt's statements meant or even implied that he was being pressured by Ickes or anyone else to decide the matter for or against the applicants. Moreover, Babbitt's remark about tribal contributions was made in a context suggesting not that it was a basis for Interior's decision, but rather as a comment on the crass financial assertion in O'Connor's May 8, 1995 letter to Ickes. Eckstein states that he did not understand Babbitt's comment about tribal contributions to imply that campaign contributions influenced Interior's decision. Finally, although Babbitt's statements to Eckstein suggest that he may have been aware of Ickes's interest in the Hudson matter in advance of Interior's final decision, there is no evidence that Babbitt acted on that information to influence the Hudson decision.

Although Babbitt apparently told Eckstein that Ickes had pressed him for a decision that day, the weight of the evidence indicates that the timing of the decision, as well as its substance, was dictated from below Babbitt, rather than from above. The decision to reject the Hudson